

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

RAYNELL D. ABRAM, )  
vs. )  
Plaintiff, )  
GARFIELD COUNTY DETENTION )  
CENTER, ET AL., )  
Defendants. )

NO. CIV-07-0403-HE

## **ORDER**

Plaintiff Raynell Abram, a state prisoner appearing *pro se* and *in forma pauperis*, instituted this action pursuant to 28 U.S.C. § 1983. Pursuant to 28 U.S.C. § 636(b)(1)(B), this matter was referred to Magistrate Judge Gary M. Purcell, who recommended that the case be *sua sponte* dismissed without prejudice for failure to prosecute. Plaintiff has failed to object to the Report and Recommendation and, therefore, has waived his right to appellate review of the factual and legal issues it addressed. United States v. One Parcel of Real Property, 73 F.3d 1057, 1059-60 (10th Cir. 1996). See 28 U.S.C. § 636(b)(1); LCvR 72.1.

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. # 25] and **DISMISSES** the case without prejudice to refiling.

## **IT IS SO ORDERED.**

Dated this 25th day of April, 2008.

  
JOE HEATON  
UNITED STATES DISTRICT JUDGE